

Application No.: 10/621,182  
Amendment dated Nov. 8, 2004  
Reply to Office Action of Oct. 26, 2004

### Remarks/Arguments

The objection to the drawings under 37 CFR 1.83(a) is again traversed as improper. As noted in the response of 10/26/04, MPEP 608.02(d) does not require that the drawings graphically illustrate every feature. This position is graphically illustrated in cited patent to Schroeder which provides five figures which comprise nothing more than a schematic view or flow diagram. Probably more pertinent is the applied Boulter reference which shows in Figs. 14, 17, 18 and 20 a coin receptacle actuator and money changer. The drawings provide no more detail than does Fig. 4 of the instant drawings. Further, the ice dispenser, condenser and ice making machine of the instant application which are considered to be shown in sufficient detail are in fact shown in no more detail than the actuator, money receptacle, money changer 72.

Accordingly, it is believed that Fig. 4 shows sufficiently actuator 72.

Claims 27-32 stand rejected under 35 USC 112 as indefinite. The phrase "set volume of ice" and "pre-set volume of ice" are said to render the claims indefinite.

It is not understood just what is indefinite about the above two phrases. Simply put, the phrase states that the actuating unit delivers a pre-selected volume of ice when activated. This is the standard procedure for coin operated machines; they provide product commensurate with fee received. The Boulter system operates in this manner.

The actuator in itself does not form a part of the instant invention and could be any known actuator installed to function in known and usual manner.

Clarification is requested.

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Claims 21-23 and 27-32, the remaining claims, stand rejected under 35 USC 102(b) or 103(a).

Claims 21-23 are rejected under 35 USC 102(b) as anticipated by Boulter.

This rejection is respectfully traversed for the following reasons.

Independent claim 21 calls for: (1) a compartment 18 containing an ice dispenser 46, the compartment including a compartment wall 24 having an opening 56 through which a dispenser chute 58 is positioned.

The claim also calls for: (2) a dispensing panel 62 attached to compartment wall 24, the dispensing panel 62 including a front display 64 and recess 66.

The claim also calls for: (3) an ice delivery chute 68 passing through dispensing panel 62 into recess 66 and being adapted to receive ice from dispenser 46 through dispenser chute 58.

As set forth in paragraphs (1) and (2), the claim clearly calls for an ice dispenser within a compartment separated by a wall from a dispensing panel 64. The claim calls for a first chute 58 within the compartment passing through an opening 56 in wall 24 of the compartment.

Considering now the reference, it discloses an ice maker 2019 and a bin 2028 within kiosk 2001. A dispensing window 2003 receives ice through ice chute 2004 which passes through a wall of kiosk 2001. There is only one wall, shown and no wall described forming the exterior of the kiosk and also the recessed area defining dispensing window 2003.

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The claim further calls for a dispensing panel 62 attached to the compartment wall 24. No such structure is taught by the reference which discloses, by way of the drawings only one panel or wall. There is no panel attached to a wall.

The claim clearly calls for dispensing panel 62 to be attached to compartment wall 24 and for an ice delivery chute 68 passing through the panel 64 into a recess 66 and adapted to receive ice through the dispenser 58 chute per paragraphs (2) and (3).

The reference discloses no dispensing panel plus a compartment wall. The rejection refers to numeral 2003 which identifies the ice dispensing window. The disclosure fails to describe two adjacent walls, i.e. the wall and the panel. The disclosure fails to set forth the two dispensing chutes.

The rejection refers to two chutes as shown in Fig. 23. Fig. 23 is a block diagram without a written description describing chute structure. Fig. 23 alone cannot be utilized to disclose specific structure. There is no written description to support the stated structure.

There is no recess disclosed in the reference for the delivery chute to pass through.

Dependent claim 22 calls for ice delivery chute 68 to be located within a chamber in the panel 62.

The rejection does not address this structure nor does the reference disclose such structure.

Claims 27-32 are rejected under 35 USC 103(a) as unpatentable over Boulter.

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The rejection states the reference discloses substantially the invention as claimed as stated above, but does not disclose the distance between the delivery chute and the shelf.

Independent claim 31 is drawn to a method of producing and dispensing ice. No statement of the rejection refers to a method of producing ice. It is, therefore, urged that no rejection has been directed against claim 31.

Claim 31 calls for providing a dispensing panel which includes a display front, a chamber receiving a delivery chute and connecting the dispensing panel with a compartment with the dispensing chute positioned to receive the delivery chute. Boulter does not disclose this structure.

Independent claim 32 calls for an ice dispensing machine having a compartment having a side wall and for a dispensing panel Boulter provides no such structure.

The claim calls for the compartment to contain an ice making machine and dispenser. The claim further calls for the dispensing panel to be attached to the compartment wall and to include a delivery chute, Boulter provides no such disclosure.

The claim then calls for the delivery chute to be below the dispenser and receive ice through a dispenser chute. The reference fails to provide this structure.

Dependent claim 28 calls for the delivery chute to be located in a recess in the display front of the dispensing panel. The reference fails to disclose a dispensing panel nor does it disclose two ice chutes. The rejection does not refer to the claimed structure of claim 28.

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The response to arguments is not thought to be complete. The response is limited to container capacity, height, etc. Nowhere do the remarks refer to claimed structure including dual walls and ice delivery units.

For the above stated reasons, the claims are thought to be allowable over the prior art. Accordingly, it is requested that the rejection be withdrawn and the claims found to be allowable.

Respectfully submitted,



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